## S. 1033

To amend the Federal Water Pollution Control Act to protect ½5 of the world's fresh water supply by directing the Administrator of the Environmental Protection Agency to conduct a study on the known and potential environmental effects of oil and gas drilling on land beneath the water in the Great Lakes, and for other purposes.

## IN THE SENATE OF THE UNITED STATES

June 13, 2001

Ms. Stabenow (for herself, Mr. Fitzgerald, Mr. Levin, Mr. Kohl, Mr. Feingold, Mr. Dayton, Mrs. Boxer, Mrs. Clinton, Mr. Durbin, Mr. Corzine, Mr. Wellstone, Mr. Bayh, and Mr. Chafee) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

## A BILL

To amend the Federal Water Pollution Control Act to protect ½5 of the world's fresh water supply by directing the Administrator of the Environmental Protection Agency to conduct a study on the known and potential environmental effects of oil and gas drilling on land beneath the water in the Great Lakes, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

## 1 SECTION 1. SHORT TITLE.

2	This Act may be cited as the "Great Lakes Water
3	Protection Act".
4	SEC. 2. FINDINGS.
5	Congress finds that—
6	(1) the Great Lakes contain ½ of the world's
7	fresh water supply;
8	(2) the Great Lakes basin is home to over
9	33,000,000 people and is a vital source of safe
10	drinking water for millions of people;
11	(3) the Great Lakes support many wetlands,
12	sand dunes, and other fragile coastal habitats;
13	(4) those coastal habitats are home to many en-
14	dangered and threatened wildlife and plant species,
15	including the piping plover, Pitcher's thistle, and the
16	dwarf lake iris;
17	(5) the Great Lakes are crucial to the econo-
18	mies of the Great Lakes States for recreation, com-
19	mercial shipping, and industrial and agriculture
20	uses; and
21	(6) oil and gas development beneath the water
22	in any of the Great Lakes could—
23	(A) expose a valuable fresh water supply of
24	the United States to serious contamination; and
25	(B) cause serious environmental damage to
26	the water and shoreline of the Great Lakes.

1	SEC. 3. EFFECTS OF OIL AND GAS DEVELOPMENT ON THE
2	GREAT LAKES.
3	The Federal Water Pollution Control Act is amended
4	by inserting after section 108 (33 U.S.C. 1258) the fol-
5	lowing:
6	"SEC. 108A. EFFECTS OF OIL AND GAS DEVELOPMENT ON
7	THE GREAT LAKES.
8	"(a) Definitions.—In this section:
9	"(1) ACADEMY.—The term 'Academy' means
10	the National Academy of Sciences.
11	"(2) Drilling activity.—
12	"(A) IN GENERAL.—The term 'drilling ac-
13	tivity' means any drilling to extract oil or gas
14	from land beneath the water in any of the
15	Great Lakes.
16	"(B) Inclusions.—The term 'drilling ac-
17	tivity' includes—
18	"(i) directional drilling (also known as
19	'slant drilling'); and
20	"(ii) offshore drilling.
21	"(3) Great Lake.—The term 'Great Lake'
22	means—
23	"(A) Lake Erie;
24	"(B) Lake Huron (including Lake Saint
25	Clair);
26	"(C) Lake Michigan;

1	"(D) Lake Ontario (including the Saint
2	Lawrence River from Lake Ontario to the 45th
3	parallel of latitude); and
4	"(E) Lake Superior.
5	"(4) Great lakes state.—The term 'Great
6	Lakes State' means each of the States of Illinois, In-
7	diana, Michigan, Minnesota, New York, Ohio, Penn-
8	sylvania, and Wisconsin.
9	"(b) Incentives To Prevent Drilling Activ-
10	ITY.—
11	"(1) In general.—To be eligible to receive an
12	incentive grant under paragraph (2), a grant under
13	section 601(a), or a grant under section 1452 of the
14	Safe Drinking Water Act (42 U.S.C. 300j-12), a
15	Great Lakes State shall not issue any oil or gas per-
16	mit or lease for drilling activity.
17	"(2) Incentive grants.—
18	"(A) In general.—For each fiscal year
19	or portion of a fiscal year in which paragraph
20	(1) is in effect, the Secretary of the Interior
21	shall make grants to Great Lakes States.
22	"(B) USE OF GRANTS.—A Great Lakes
23	State shall use a grant under this paragraph to
24	carry out conservation activities in the State.

1	including activities to conserve parkland and
2	protect shores.
3	"(C) Amount of grants.—For each fis-
4	cal year or portion of a fiscal year, the amount
5	of a grant to a Great Lakes State under sub-
6	paragraph (A) shall be equal to the product ob-
7	tained by multiplying—
8	"(i) the amount available for grants
9	under this paragraph for the fiscal year or
10	portion of a fiscal year; and
11	"(ii) the ratio that—
12	"(I) the amount of funds that
13	the Great Lakes State would have re-
14	ceived, but for paragraph (1), from
15	the sale of oil and gas from the Great
16	Lakes during the fiscal year; bears to
17	"(II) the amount of funds that
18	all Great Lakes States would have re-
19	ceived, but for paragraph (1), from
20	the sale of oil and gas from the Great
21	Lakes during the fiscal year.
22	"(D) Maximum amount of grants.—
23	For each fiscal year, the Secretary of the Inte-
24	rior may make grants under this paragraph in

1	an aggregate amount not to exceed
2	\$50,000,000.
3	"(c) Study.—
4	"(1) IN GENERAL.—Not later than 1 year after
5	the date of enactment of this section, the Adminis-
6	trator shall conduct a study to examine the known
7	and potential environmental effects of drilling activ-
8	ity, including any effects on—
9	"(A) water quality (including the quality of
10	drinking water);
11	"(B) the sediments and shorelines of the
12	Great Lakes;
13	"(C) fish and other aquatic species, plants,
14	and wildlife that are dependent on Great Lakes
15	resources;
16	"(D) competing uses of water and shore-
17	line areas of the Great Lakes; and
18	"(E) public health of local communities.
19	"(2) Consultation.—In designing and con-
20	ducting the study, the Administrator shall consult
21	with—
22	"(A) the Secretary of Energy;
23	"(B) the Administrator of the National
24	Oceanic and Atmospheric Administration;
25	"(C) the Chief of Engineers;

1	"(D) the Great Lakes States; and
2	"(E) as appropriate, representatives of en-
3	vironmental, industry, academic, scientific, pub-
4	lic health, and other relevant organizations.
5	"(3) Independent review.—Not later than
6	180 days after the date of enactment of this section,
7	the Administrator shall enter into an agreement with
8	the Academy under which the Administrator shall
9	submit to the Academy, and the Academy shall re-
10	view, the results of the study.
11	"(4) Report.—Not later than 1 year after the
12	date of submission to the Academy of the study
13	under paragraph (3), the Academy shall submit to
14	the Administrator and Congress—
15	"(A) the study; and
16	"(B) a report that describes the results of
17	the review by the Academy (including any rec-
18	ommendations concerning the results of the
19	study).
20	"(5) ACTION BY CONGRESS.—It is the sense of
21	Congress that, after receiving the study and report
22	under paragraph (4), Congress should—
23	"(A) review the study and report;
24	"(B) conduct hearings concerning the im-
25	pact of drilling activity; and

1	"(C) determine whether to eliminate the
2	condition under subsection (b)(1).
3	"(d) AUTHORIZATION OF APPROPRIATIONS.—There
4	are authorized to be appropriated such sums as are nec-
5	essary to carry out this section.".

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